

## REMARKS

Reconsideration and allowance are respectfully requested.

### Interview Summary

Applicants thank Examiner Wu for the courtesy of a phone interview on December 8, 2009 at 1 PM. In the interview, the status of the claim amendments was discussed. Examiner Wu indicated that the Amendments in the Amendment and Response filed July 14, 2009 were entered.

### Remarks Regarding Amendments

The Amendments to claims 1, and 9 have been amended and are supported throughout the specification including the original claims. No new matter is introduced by these amendments and their entry is requested.

### Remarks Regarding 35 U.S.C. 112 first and second paragraph

In the April 14, 2009 Office Action, claims 1-17 stand rejected under 35 U.S.C. 112 first paragraph as allegedly failing to comply with the written description requirement. Applicants traverse.

In the April 14, 2009 Office Action, claims 1-17 stand rejected under 35 U.S.C. 112 second paragraph as allegedly indefinite. Applicants traverse.

Applicants thank the Examiner for suggesting language to overcome these rejections in the October 7, 2009 Advisory Action. Specifically, the Examiner stated:

Continuation of 11. does NOT place the application in condition for allowance because: the amendment of the claims causes new informality. In order to correct the informality of claim 1, the section "in the presence of 1, respectively 2 equivalents of a base" should be replaced with --in the presence of 1 or 2 equivalents of a base respectively" --. It is noted that in the section "at least one imine ligand compound, characterized in that an imine ligand compound according to formula 1", the "in that" clause does not have a subject; the examiner suggest to replace the section with --at least one imine ligand compound according to formula 1-- for the purpose of proper English. Claim 9 is still lack antecedence as rejected in the previous Final Office Action mailed April 14, 2009.

Applicants have adapted the Examiner's suggestions for the amendment of claim 1 completely. Claim 9 is amended to depend on claim 8, which supplies the proper antecedent basis. Claim 15 was previously alleged to be indefinite but, following Applicants' amendment of July 14, 2009, the examiner no longer maintained this

rejection. Thus, the withdrawal of all of the section 112 rejections is respectfully requested.

Remarks Regarding Double Patenting Rejection

In the April 14, 2009 Office Action, claims 1-17 stand rejected on the grounds of nonstatutory obviousness-type double patenting as allegedly unpatentable over claims 1-10 of U.S. patent 7,524,906. Applicants traverse.

Applicants have filed a terminal disclaimer on July 14, 2009 over U.S. patent 7,524,906. Thus, this rejection is moot and should be withdrawn.

*Conclusion*

Having fully responded to the pending Office Action, Applicants submit that the claims are in condition for allowance and earnestly solicit an early Notice to that effect. The Examiner is invited to contact the undersigned if additional information is required.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

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